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The Army's EO Program and Policies



Lesson 30: Military Affirmative Action

Overview

- Define Military Affirmative Action
- Define Affirmative Action Plan
- Origin and Development
- Key Terms



Introduction

- There are some things about affirmative actions that people know and that people are absolutely sure of.
- These people base their daily lives on these things.
- They will write letters to the editor about them.
- Things they use in policy letters.
- Things they are absolutely, 100% sure of, that are false!
- “It’s not what you know that gets you in trouble”, said Will Rogers, “It’s what you know, that ain’t so, that gets you in trouble.”



Introduction (continues)

- We need to try to resolve some of the issues involved with Military Affirmative Actions.
- Remember, we are talking about Military Affirmative Actions.
- We will not be addressing the civilian community, even though all of the things that we do today will pretty much apply to the civilian community also.



Military Affirmative Action

- **Military Affirmative Actions** - are methods used to achieve the objectives of the EO program.
- Affirmative Actions are processes, activities, and systems designed to identify, eliminate, prevent, and work to overcome the effects of discriminatory treatment as it affects the upward mobility and quality of life for DoD personnel.



Military Affirmative Action

- One of the things that must be understood about Affirmative Actions is that they are not cheap.
- In this era of budget constraints there is tremendous pressure not to do things.
- It is cheaper to drop programs.
- It is not enough to say we have now given everyone equal opportunity, because we have removed the barriers.
- These things are just not enough.
- Affirmative Actions are necessary!



Military Affirmative Action

- People want to say, “Just work harder and you can get ahead.”
- When I worked hard to overcome the effects of discrimination in the earlier race, what happened to the participant in front?
- There was resentment, anger, frustration, because we worked to overcome the unfair advantage.



Military Affirmative Action

- It isn't enough to just take away the barriers.
- We all have to work to overcome the effects of discriminatory treatment.
- We aren't talking about people who don't have the ability.
- We aren't talking about unqualified people.
- That is another misunderstanding that people have.
- We are talking about people that have been discriminated against.



Affirmative Action Plan

- An Affirmative Action Plan (AAP) is a management document used as a tool to overcome the effects of discrimination. It contains positive steps oriented at results that we can observe and measure.
 - You can take the plan and wave it at discrimination all day and the only thing you are going to do is move air around.
 - Within the Army, each Brigade or higher command has its own AAP. You must have an outcome in mind when you start making the plan. The outcome from a foot race would be to give two people an equal chance to get that candy.



Affirmative Action Plan

- By definition there is going to be a winner and there is going to be a loser in a race. What should determine who is going to be the winner and loser? We use a phrase for that in AAPs, merit, fitness, capability, and potential.
 - If we have one stripe, and we have two individuals that want to be promoted, what criteria do we use to choose who is going to get that stripe? Merit, fitness, capability, and potential.
 - Don't we do this all of the time? No.
 - Can we discriminate based on race, color, religion, gender, or national origin? Yes.
 - And if it is a civilian employee can we discriminate based on age and handicap also? Yes.



The Origin And Development of Military Affirmative

A ctions

- Executive Order 10925 (1961)
- Civil Rights Act (1964)
- Executive Order 11246 (1965)
- DoD Human Goals Program (1969)
- DoD Directive 1100.15 (1976)
- DoD Directive 1350.2 (1987)



The Origin And Development of Military Affirmative

Executive Order 10925 (1961) - John F. Kennedy (JFK)
Actions was the first person to use the term Affirmative Action in 1961.

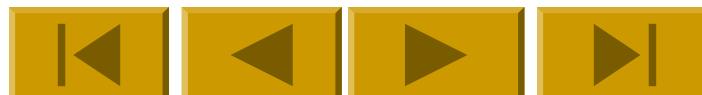
- JFK said in Executive Order 10925, “contractors will take affirmative actions when they are dealing with the government.” The problem was he didn’t define it.
- This order was the first to issue penalties for non-compliance.
- JFK put together a watch-dog committee to monitor compliance. It was called the President’s committee on equal employment.



The Origin And Development of Military Affirmative Actions

• Civil Rights Act (1964) - This is probably **the single most important piece of Civil Rights legislation of this century.**

- The Civil Rights Act of 1964 has been used as the basis for more supreme court decisions than any other piece of legislation that has been passed with regard to equal opportunity and employment discrimination.
- In employment discrimination the act applied not only to the government, but to private companies as well.
- This act is probably the biggest source of friction when it comes to Affirmative Actions and equal rights in employment. For the first time, the government is starting to regulate who private companies may or may not employ.



The Origin And Development of Military Affirmative

- Executive Order 11246 (1965) - This order didn't talk much about Affirmative Actions, but the focus was on contractors, and people who primarily did business with the government.
- The focus on contractors was not just about treating people equally, but focused for the first time, on past discrimination.



The Origin And Development of Military Affirmative Actions

Suppose you have a computer skill and you need to operate a radar to shoot down enemy planes and it takes two people to operate it. The front runner in the foot race has the skills and the other doesn't.

- Can we let the front runner sit around without touching the radar while we train the other individual to get him or her up to the level of skill required to operate the radar? No. What could we have done?
- The problem is we can't do anything without someone being upset.
- A dilemma is a situation when there is no win/win answer. That means someone has to lose. If I tell you that someone is going to lose, then how acceptable is that solution going to be? It isn't going to be acceptable to many different people



The Origin And Development of Military Affirmative

DoD Human Goals Program (1969) - The Human Goals Charter is signed by the secretary and the Chief of Staff for each respective service.

- This is one of the attempts to resolve the dilemma by articulating policy, and educating people about what is going on.
- For example, you may not like going to the hospital and getting shots, but you do understand the processes of getting diseases.
- You also understand that there are some things out there that can kill you.
- Which is better, get immunized or die? At least you understand what is going on and the DoD Human Goals Program is part of the education that will help everyone understand Affirmative Actions.



The Origin And Development of Military Affirmative Actions

DoD Directive 1100.15 (1976) - written in 1976,
required each service secretary to use

Affirmative Actions for equal treatment of males
and females.

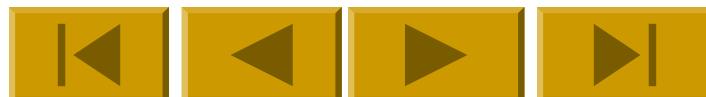
- It also required reports on the progress of equal opportunity. The way this information is reported is through a document called an AAP.



The Origin And Development of Military Affirmative Actions

DoD Directive 1350.2 (1987) - was more specific on the Who's, what's, when's, and where's of how we were going to do this AAP.

- When DoD directive 1350.2 was issued it repeated many of the things that were in DoD directive 1100.15. It did add a couple of items as far as Affirmative Actions goes.
- It goes more deeply into areas like definitions and communication of processes to ensure people can understand what is going on.
- The first thing it did was to tell folks by position what their responsibilities are at the various DoD levels



Key Terms

- Disparate Treatment
- Disparate Effect
- Reverse Discrimination
- Goal
- Quota



Key Terms

- **Disparate Treatment - Disparate means differential. Treatment is a how you treat people. So, Disparate Treatment means treating people differently.**
 - Treating people differently is part of what definition that we went over previously? Discrimination.
 - Was there disparate treatment in the foot race? Yes.
 - Any time you are looking at people and you see disparate treatment then you are looking at discrimination.
 - Is combat exclusion, law or policy, disparate treatment? Yes.
 - So disparate treatment is something that can be done by individuals or institutions.



Key Terms

- **Disparate Effect** - is when everyone is treated the same, but because of previous disparate treatment, the playing field is still not equal. Disparate effect equals the effects of past discrimination



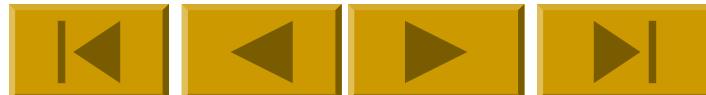
Key Terms

- **Reverse Discrimination** - equals Discrimination. This term has no legal basis, no judicial basis or any kind of formal basis
 - *There is no basis for the term “reverse discrimination.”*
 - It is normally used to describe discrimination that is adverse to what race? To the majority or white race.
 - We hear this term “reverse discrimination” kicked around and it is one of the first things that jumps up in a discussion about Affirmative Actions.
 - There is no such thing as “reverse discrimination.” We must educate people to let them know that **discrimination is discrimination is discrimination.**



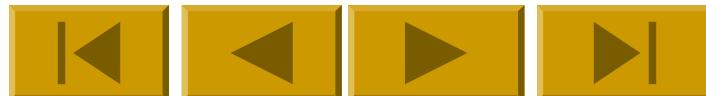
Key Terms

- There are two other terms that are very critical to your understanding of Affirmative Actions. Those two terms are goals and quotas.
 - Goal - an objective or a final outcome. It is something you strive for. A goal is a realistic attainable planning target. For example, people may have a goal to get something out of life such as getting promoted or wealth. If you don't reach your goal you continue to work to achieve it.
 - Quota - A quota tells you how many of something you are required to have or achieve. Quotas are imposed while goals are voluntary. Quotas are normally imposed as the result of failure to abide by particular rules and guidelines.



Affirmative Action Case Study

- A Department of the Army promotion boards has 100 Staff Sergeant's up for promotion to Sergeant First Class. 10% of those are Black and are qualified. How many Blacks should be promoted? 10.
 - DoD does not authorize the use of quotas. We have our goals that we are shooting for. If we hit the goals it is great. If we don't hit the goals then we then we have some difficulty.
 - Disparate treatment is easy, that is discrimination. Disparate effect is a little harder, but that is just trying to even out the playing field that was made uneven by disparate treatment. It is hard to do with a win/win situation outcome.



Conclusion

- Affirmative actions is an integral part of the Army's EO program in ensuring fair treatment of all soldiers based on merit, fitness, capable and potential.
- Affirmative actions does not mean we must promote unqualified soldiers.
- For many, perhaps most, who will protest about affirmative actions, reverse discrimination and quotas, there is probably only one response which you can offer.



Conclusion (continues)

- This is called the “Last Resort Response”. The dialogue usually runs like this:
 - **WHITE MALE:** “I admit that perhaps my being white has been an advantage. I’ll admit that perhaps you minorities and females have been discriminated against for years, but I had nothing to do with that; that all happened way before my time. None of that was my fault. I have only one lifetime to live and I don’t think that I should suffer because of the sins and alleged sins or injuries perpetuated by my ancestors. Why should I?”
 - **MINORITY / FEMALE RESPONSE:** “Why should I?”

